

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 07-2004)TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

FC-11-PUS

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/521162

INTERNATIONAL APPLICATION NO.
PCT/US2003/021706INTERNATIONAL FILING DATE
11 July 2003 (11.07.04)PRIORITY DATE CLAIMED
17 July 2002 (17.07.02)

TITLE OF INVENTION

FLEA AND TICK OCTOPAMINE RECEPTOR NUCLEIC ACID MOLECULES, PROTEINS AND USES THEREOF

APPLICANT(S) FOR DO/EO/US

Kevin S. Brandt

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). (**unexecuted, 3 sheets**)
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment. (**14 sheets**)
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 322825590 US
23. ☒ Other items or information:

Transmittal Letter (2 sheets in duplicate); Transmittal Letter for Sequence Listing along with Sequence Listing Diskette attached (34 sheets); PCT International Published application (WO 2004/009762 A2) (with International Search Report attached (77 sheets); Certificate of Express Mailing (1 sheet); and return postcard

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold;">10/521162</div>	INTERNATIONAL APPLICATION NO. <div style="font-weight: bold;">PCT/US2003/021706</div>	ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold;">FC-11-PUS</div>
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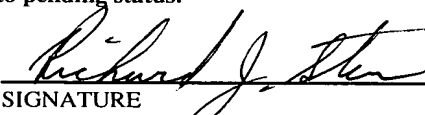
24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :				CALCULATIONS PTO USE ONLY	
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO				\$1110.00	
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO				\$950.00	
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO				\$790.00	
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)				\$750.00	
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)				\$100.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$790.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than _____ months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 - 20 =	0	x \$18.00	\$0.00	
Independent claims	11 - 3 =	8	x \$88.00	\$704.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,494.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$747.00	
SUBTOTAL =				\$747.00	
Processing fee of \$130.00 for furnishing the English translation later than _____ months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0.00	
TOTAL NATIONAL FEE =				\$747.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				\$0.00	
TOTAL FEES ENCLOSED =				\$747.00	
				Amount to be: refunded	\$
				charged	\$

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 081930 in the amount of \$747.00 to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 081930
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

USPTO Customer Number 26949
 Heska Corporation
 Intellectual Property Dept.
 1613 Prospect Parkway
 Fort Collins, CO 80525
 United States of America
 Telephone: (970) 493-7272
 Facsimile: (970) 491-9976


 SIGNATURE
 Richard J. Stern, Ph.D.
 NAME
 50,668
 REGISTRATION NUMBER
 13 January 2005
 DATE

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Kevin S. Brandt**
DT12 Rec'd PCT/PTO 13 JAN 2005
 Pocket No.
FC-11-PUS

Application No.	Filing Date 13 January 2005	Examiner	Customer No. 26949	Group Art Unit
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Invention: **FLEA AND TICK OCTOPAMINE RECEPTOR NUCLEIC ACID MOLECULES, PROTEINS AND USES THEREOF**

I hereby certify that the following correspondence:

Transmittal Letter to DO/EO/US (2 pages); PCT Int'l Published Application WO 2004/009762 A2 (77 pages); International Search Report (8 pages); Sequence Listing (34 pages); Transmittal Letter for Sequence Listing along with Sequence Listing Diskette (1 page); First Preliminary Amendment (14 pages) Certificate of Mailing by "Express Mail" (1 page); Declaration and Power of Attorney, unexecuted (3 pages); acknowledgment postcard

(Identify type of correspondence)

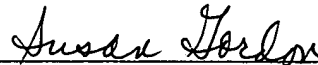
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

13 January 2005

(Date)

Susan Gordon

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

EV 322825590 US

("Express Mail" Mailing Label Number)